



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Blue Ridge Regional Office

www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Robert J. Weld
Regional Director

Lynchburg Office
7705 Timberlake Road
Lynchburg, Virginia 24502
(434) 582-5120
Fax (434) 582-5125

Roanoke Office
3019 Peters Creek Road
Roanoke, Virginia 24019
(540) 562-6700
Fax (540) 562-6725

WARNING LETTER

May 22, 2014

Mrs. Cathy Taylor
Director, Electric Environmental Services
Dominion
5000 Dominion Boulevard
Glen Allen VA 23060

Revision of WL dated May 9, 2014 -
Corrected monitoring period & noted
verbal notification

RE: Warning Letter No. W2014-05-L-1009
Dominion Clover Power Station
VPDES Permit No. VA0083097

Dear Mrs. Taylor:

The Department of Environmental Quality ("DEQ" or "the Department") has reason to believe that the **Dominion** may be in violation of the State Water Control Law and Regulations at the **Dominion – Clover Power Station**.

This letter addresses conditions at the facility named above, and also cites compliance requirements of the State Water Control Law and Regulations. Pursuant to Va. Code § 62.1-44.15 (8a), this letter is not a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq.*

OBSERVATIONS AND LEGAL REQUIREMENTS

The **Dominion – Clover Power Station** submitted discharge monitoring reports (DMRs) to DEQ's Blue Ridge Regional Office - Lynchburg, including the following *relevant* data results. The following describe the staff's factual observations and identify the applicable legal requirements.

1.

Month: March 2014				Outfall # 002				VA0083097		
		Quantity or Loading			Quality or Concentration					
PARAMETER		Average	Maximum	Units	Minimum	Average	Maximum	Units	No. Ex.	Frequency Of Analysis
004 TSS	Reported						176.5	MG/L		
	Requirement						* 50.0	MG/L		

00026489

* The VPDES permit for this facility, effective January 13, 2011 contains conditions that enumerate the effluent limitations in this column. Va. Code § 62.1-44.5 prohibits waste discharges or other quality alterations of state waters except as authorized by permit. 9 VAC 25-31-50 provides that "except in compliance with a VPDES permit, or another permit, issued by the board, it shall be unlawful for any person to discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances."

ENFORCEMENT AUTHORITY

Va. Code § 62.1-44.23 of the State Water Control Law provides for an injunction for any violation of the State Water Control Law, any State Water Control Board rule or regulation, an order, permit condition, standard, or any certificate requirement or provision. Va. Code §§ 62.1-44.15 and 62.1-44.32 provide for a civil penalty up to \$32,500 per day of each violation of the same. In addition, Va. Code § 62.1-44.15 authorizes the State Water Control Board to issue orders to any person to comply with the State Water Control Law and regulations, including the imposition of a civil penalty for violations of up to \$100,000. Also, Va. Code § 10.1-1186 authorizes the Director of DEQ to issue special orders to any person to comply with the State Water Control Law and regulations, and to impose a civil penalty of not more than \$10,000. Va. Code §§ 62.1-44.32 (b) and 62.1-44.32 (c) provide for other additional penalties.

The Court has the inherent authority to enforce its injunction, and is authorized to award the Commonwealth its attorneys' fees and costs.

FUTURE ACTIONS

We received verbal notification on April 4 and your letter of explanation via eDMR April 9, 2014. No further response from you is necessary at this time unless you have additional information to share regarding this deficiency. If corrective action will take longer than 90 days to complete, you may be asked to sign a Letter of Agreement or enter into a Consent Order with the Department to formalize the plan and schedule. *It is DEQ policy that appropriate, timely, corrective action undertaken in response to a Warning Letter will avoid adversarial enforcement proceedings and the assessment of civil charges or penalties.*

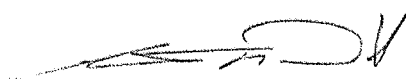
Please advise us if you dispute any of the observations recited herein or if there is other information of which DEQ should be aware. In the event that discussions with staff do not lead to a satisfactory conclusion concerning the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. If you complete the Process for Early Dispute Resolution and are not satisfied with the resolution, you may request in writing that DEQ take all necessary steps to issue a case decision where appropriate. For further information on the Process for Early Dispute Resolution, please visit the Department's website under "Laws & Regulations" and "DEQ regulations" at:

<http://www.deq.state.va.us/Programs/Enforcement/LawsRegulationsGuidance.aspx>

or ask the DEQ contact listed below.

Your contact at DEQ in this matter is **Peggy Barbour**. Please direct written materials to her attention. If you have questions or wish to arrange a meeting, you may reach her directly at (434) 582-6203 or Peggy.Barbour@deq.virginia.gov.

Sincerely,



Nelson Dail
Water Compliance and Land Application Manager
(540) 562-6754
Nelson.Dail@deq.virginia.gov

cc: Mr. Rick Woolard, Dominion, Dominion, 5000 Dominion Boulevard, Glen Allen VA 23060
Peggy Barbour, Water Compliance Auditor, BRRO Lynchburg
Marvin Booth, Enforcement Representative, BRRO Lynchburg (via-e-mail)
Compliance File

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

DEPT. OF ENVIRONMENTAL QUALITY
(REGIONAL OFFICE)
South Central Regional Office
7705 Timberlake Rd
Lynchburg, VA 24502

PERMITTEE NAME/ADDRESS (INCLUDE
FACILITY NAME/LOCATION IF DIFFERENT)

NAME: Old Dominion Electric Cooperative Clover
ADDRESS: P.O. Box 245
Clover, VA 24534

FACILITY
LOCATION:

State Routes 600 and 778
Clover, VA 23058

V/A0083097		002	
PERMIT NUMBER		DISCHARGE NUMBER	
MONITORING PERIOD			
YEAR	MO	DAY	YEAR
2014	03	01	2014
FROM		TO	

NOTE: READ PERMIT AND GENERAL INSTRUCTIONS
BEFORE COMPLETING THIS FORM

Parameter	QUANTITY OR LOADING		QUALITY OR CONCENTRATION			NO. EX.	FREQUENCY OF ANALYSIS	SAMPLE TYPE	LAB CODE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE				
FLOW	REPORTD 0.334	0.694		*****	*****		1/DAY	EST	
PARAM CODE: 001									
PH	REPORTD *****	NL	MGD	*****	*****		1/DAY	EST	
PARAM CODE: 002									
TSS	REPORTD *****	*****		8.60	8.68	0	2/M	IS	
PARAM CODE: 004									
	REPORTD *****	*****		6.0	9.0		2/M	GRAB	
				*****	165.8	2	2/M	GRAB	
				*****	NL		2/M	GRAB	

GENERAL PERMIT REQUIREMENTS OR COMMENTS: An explanation and corrective actions for the permit limit exceedances submitted at Outfall 002 is attached to this DMR.

OUTFALL-SPECIFIC COMMENTS: [TSS/ConcAvg] Explanation and corrective actions are attached [TSS/ConcMax] Explanation and corrective actions are attached

TOTAL OCCURRENCES		TOTAL FLOW (M.G.)	TOTAL BOD5(K.G.)	OPERATOR IN RESPONSIBLE CHARGE	
				Tim Hamlet	
BYPASSES AND OVERFLOWS		TYPED OR PRINTED NAME			
		PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			
		TELEPHONE		CERTIFICATE NUMBER	
		2014-04-09 14:50:37		434-454-2150	
		TYPED OR PRINTED NAME		Date	

Page 2

00026492